



1648

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Susan L. Eick

Name
Susan L. Eick
Signature
March 30, 2004
Date of Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Scott et al.

Examiner: Shanon A. Foley

Filed: June 4, 2001

Art Unit: 1648

Serial No. 09/873,881

For: Recombinant Multivalent Viral Vaccine

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to a communication dated October 3, 2003, subjecting the claims to a Restriction requirement, Applicants hereby elect Group I (claims 1-5 and 8-11) without traverse.

This response is being filed with a request for five-month extension. A check for \$2010.00 is enclosed. If any additional fee is due, the USPTO is authorized to charge to Deposit Account no. 08-2442.

Respectfully submitted,

By: Ranjan Kadle Reg. No. 40,041

HODGSON RUSS LLP
One M & T Plaza, Suite 2000
Buffalo, New York 14203-2391
Dated: March 30, 2004

BFLODOCS: 911457 v1 (JJ@901!.DOC)

04/02/2004 SSESHE1 00000037 09873881

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2010.00 0P

APR 01 2004 **EE TRANSMITTAL**
for FY 2004

Effective 01/01/2003. Patent Fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$ 2010.00)

Application Number 09/873,881

Filing Date June 4, 2001

First Named Inventor Scott et al.

Examiner Name Shanon A. Foley

Group/Art Unit 1648

Attorney Docket Number 18617.0075

METHOD OF PAYMENT (check all that apply)

FEE CALCULATION (continued)

 Check Credit Card Money Order Other None Deposit Account: Deposit Account Number: 08-2442

Deposit Account Name: Hodgson Russ LLP

The Director is hereby authorized to (check all that apply)

Charge fee(s) indicated below
 Charge any fee deficiencies or credit any overpayments
 Charge any additional fees during pendency of this application.
 Charge fees indicated below, except for the filing fee to the above-identified deposit account

3. ADDITIONAL FEES

Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	\$
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	\$
1053	130	1053	130	Non-English specification	\$

FEE CALCULATION

1812 2,520 1812 2,520 For filing a request for ex parte reexamination \$

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid	Fee Description	Fee Paid
1804	920*		1804	920*	Requesting Publication of SIR prior to Examiner Action
1805	1,840*		1805	1,840*	Requesting Publication of SIR after Examiner Action
1001 770	2001 385	Utility filing fee	\$ 1251	110	2251 55 Extension for reply within first month
1002 340	2002 170	Design filing fee	\$ 1252	420	2252 210 Extension for reply within second month
1003 530	2003 265	Plant filing fee	\$ 1253	950	2253 475 Extension for reply within third month
1004 770	2004 385	Reissue filing fee	\$ 1254	1,480	2254 740 Extension for reply within fourth month
1005 160	2005 80	Provisional filing fee	\$ 1255	2,010	2255 1,005 Extension for reply within fifth month

SUBTOTAL (1)

\$ 0 1401 330 2401 165 Notice of Appeal \$

2. EXTRA CLAIM FEES FOR UTILITY/REISSUE

Extra Fee from
Claims below

Fee Paid	Fee Description	Fee Paid	Fee Description	Fee Paid
1402	330	2402	165	Filing a brief in support of an appeal

Total Claims // -20** = / / x / / = \$ 1403 290 2403 145 Request for oral hearing \$

Independent Claims // - 3** = / / x / / = \$ 1451 1,510 1451 1,510 Petition to institute a public use proceeding \$

Multiple dependent / / x / / = \$ 1452 110 2452 55 Petition to revive - unavoidable \$

Large Entity Small Entity

Fee Code (\$)

Fee Code (\$)

Fee Description

1453	1,330	2453	665	Petition to revive - unintentional
1501	1,330	2501	665	10 advance copies
				Utility issue fee (or reissue)
1202 18 2202 9	Claims in excess of 20	1502	480	2502 240 Design issue fee
1201 86 2201 43	Independent claims in excess of 3	1503	640	2503 320 Plant issue fee
1203 290 2203 145	Multiple dependent claim if not paid	1460	130	1460 130 Petitions to the Commissioner
1204 86 2204 43	**Reissue independent claims over original patent	1807	50	1807 50 Processing fee under 37 CFR 1.17(q)
1205 18 2205 9	**Reissue claims in excess of 20 and over original patent	1806	180	1806 180 Submission of Information Disclosure Statement

SUBTOTAL (2)

\$ 0 8021 40 8021 40 Recording each patent assignment per property (times number of properties) \$

SUBMITTED BY:

Ranjana Kadle Reg. No. 40,041 1809 770 2809 385 Filing a submission after final rejection(37 CFR 1.129(a)) \$

SIGNATURE

1810 770 2810 385 For each add'l invention to be examined(37 CFR 1.129(b)) \$

DATE: March 30, 2004 Telephone: (716) 848-1628 1801 770 2801 385 Request For Continued Examination (RCE) \$

1802 900 1802 900 Request for Expedited Examination of a design application \$

Other fee (specify) _____

*Reduced by basic filing fee paid SUBTOTAL (3) \$2010